

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

JANE DOE 1, JANE DOE 2,
JANE DOE 3, JANE DOE 4,
JANE DOE 5, JANE DOE 6,
JANE DOE 7, JANE DOE 8,
JANE DOE 9, AND JANE DOE 10

Plaintiffs,

VS.

BAYLOR UNIVERSITY

Defendant.

Cause No. 6:16-cv-173-RP
JURY TRIAL DEMANDED

PLAINTIFFS' ADVISORY REGARDING ECF 947

TO THE HONORABLE ROBERT PITMAN:

COME NOW Jane Does 1-15, Plaintiffs herein, and file this advisory regarding the pending consideration of the Court to Baylor's objection to Magistrate Judge Austin's April 26, 2021 Order.¹

In support thereof, Plaintiffs would show the honorable Court as follows:

Plaintiffs file this advisory to bring the Court's attention the opinion issued by the United States Court of Appeals for the Fifth Circuit in Cause No. 20-20-40643, styled *Texas Alliance for Retired Americans et al vs. Ruth Hughs*.² The question posed in *Texas Alliance* involved the imposition of sanctions by the Circuit Court for violation of local rules, and a request for reconsideration of that order. The current Objection by Baylor of Judge Austin's order includes Baylor's contention that the failure of Judge Austin to find bad faith is grounds for this Court overturning that order. In its *Texas*

¹ ECF 947 (Objection); ECF 941 (Order).

² *Tex. Alliance v. Hughs*, No. 20-40643 (5th Cir. June 30, 2021); A copy of the opinion has been provided for the Court's convenience.

Alliance opinion, the Fifth Circuit confirms that a finding of bad father is not required when imposing sanctions.³

Respectfully submitted,

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³ *Id.* at page *2-3.

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing has been filed by ECF and sent to counsel of record via electronic notification on July 13, 2021.

/s/Chad W. Dunn
CHAD W. DUNN